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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/423,436	11/09/1999	HIROSHI KANAYAMA	991238	6727

23850            7590            05/30/2002

ARMSTRONG, WESTERMAN & HATTORI, LLP  
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EXAMINER

LAVILLA, MICHAEL E

ART UNIT	PAPER NUMBER
1775	12

DATE MAILED: 05/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

T-D-12

<b>Advisory Action</b>	Application No. <b>09/423,436</b>	Applicant(s) <b>KANAYAMA ET AL.</b>
	Examiner <b>LA VILLA</b>	Art Unit <b>1775</b>

*- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -*

THE REPLY FILED May 21, 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

THE REPLY FILED May 27, 2002 ALSO CONCERNING THIS APPLICATION  
Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]

- a)  The period for reply expires three months from the mailing date of the final rejection.

b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

- A Notice of Appeal was filed on \_\_\_\_\_ . Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
  - The proposed amendment(s) will not be entered because:
    - (a)  they raise new issues that would require further consideration and/or search (see NOTE below);
    - (b)  they raise the issue of new matter (see NOTE below);
    - (c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
    - (d)  they present additional claims without canceling a corresponding number of finally rejected claims.

**NOTE:** *The newly claimed layer/sublayer structure, the absence of secondary phase, and the presence of solid-dissolved Ag and Sn in the sublayer are new issues requiring further consideration.*

3.  Applicant's reply has overcome the following rejection(s):

4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5.  The a)  affidavit, b)  exhibit, or c)  request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
*Please see attachment.*

6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7.  For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: *NONE*

Claim(s) objected to:

Claim(s) rejected: 1, 2, 4-7, and 9-12

**Claim(s) withdrawn from consideration:**

8.  The proposed drawing correction filed on \_\_\_\_\_ is a)  approved or b)  disapproved by the Examiner.  
9.  Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 105-000000.  
10.  Other:  
  
DEBORAH JONES

Deborah Jones  
DEBORAH JONES

**SUPERVISORY PATENT EXAMINER**

**ADVISORY ACTION ATTACHMENT**

- I. The request for reconsideration has been considered but does not place the application in condition for allowance.
- II. The proposed amendments appear to introduce new issues of indefiniteness, and so they have not been entered.
- III. Applicant's response to the section 112, first paragraph rejection of the Office Action mailed on 21 February 2002 has been noted. It is not persuasive, however, since the rejected claims appear to require that the grooved aspect of the roughness is achieved by the claimed roughening methods in the respective claims. Applicant's response appears to make an argument that there is support for Claims 5 and 10, which claims have not been rejected on this grounds.
- IV. Applicant's response to the section 112, second paragraph rejection with respect to the composition of the copper alloy has been noted. It is not persuasive, however, since the ambiguity with respect to the composition of the alloy persists. Applicant recites that the copper alloy contains certain amounts of Ag and Sn, with the balance consisting essentially of Cu, for example, in Claim 1. Therefore, applicant has not clarified whether the alloy comprises Ag, Sn, and Cu or consists essentially of Ag, Sn, and Cu.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael La Villa whose telephone number is (703) 308-4428. The examiner can normally be reached on Mondays and Tuesdays.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (703) 308-3822. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.
3. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

  
DEBORAH JONES  
SUPERVISORY PATENT EXAMINER

Michael La Villa  
May 28, 2002

